| 1 | Steven J. Parsons | | |
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| | Steve@SJPlawyer.com | | |
| 5 | Attama and fam Diabatiffa | | |
| _ | Attorney for Plaintiffs DONALD L. BLACKWELDER , | | |
| 6 | individually and derivatively | | |
| 7 | on behalf of THORNTON-TERMOHLEN | | |
| | GROUP CORPORATION | | |
| 8 | UNITED STA | ATES DISTRICT COURT | |
| 9 | DISTRICT OF NEVADA | | |
| 10 | DONALD L. BLACKWELDER, individually ar | | |
| 11 | derivatively on behalf of THORNTON-TERMOHLEN GROU | P PLAINTIFF DONALD L. BLACKWELDER'S | |
| ΤŢ | CORPORATION, a Nevada corporation, | STATUS REPORT | |
| 12 | Total of the training a morada corporation, | OTHER ONL | |
| | Plaintiff, | | |
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| | VS. | | |
| 14 | CHARLES THORNTON, individually; BRIA | N | |
| 15 | HOWELLS, individually; and AECOS, LTD., | | |
| 13 | Nevada corporation, | u | |
| 16 | , | | |
| | Defendants. | | |
| 17 | AND ALL DELATED ACTIONS | \mathcal{L} | |
| 18 | AND ALL RELATED ACTIONS | / | |
| 10 | | | |
| 19 | Plaintiff DONALD L. BLACKWELI | DER, an individual, and derivatively on behalf of | |
| 20 | THORNTON-TERMOHLEN GROUP CORPO | DRATION , a Nevada corp., by his attorney Steven J. | |
| 21 | Parsons of Law Offices of Steven J. Parson | ons, hereby provides the Court a status report. | |
| 22 | Dated: August 24, 2018. | Law Offices of Steven J. Parsons | |
| 22 | Batoai / lagact 2 ii 2010i | EW STRICES OF STEVERSTTY MOSING | |
| 23 | | /s/ Steven J. Parsons | |
| | | STEVEN J. PARSONS | |
| 24 | | Nevada Bar No. 363 | |
| 2 = | | Attorneys for Plaintiff | |
| 25 | | DONALD L. BLACKWELDER, individually and | |
| 26 | | derivatively on behalf of THORNTON-TERMOHLEN | |
| | | GROUP CÓRPORATION, a Nevada corporation | |
| 27 | | | |



| 1 | PROOF OF SERVICE | | |
|------|---|--|--|
| 2 | I hereby certify that service of this Status Report was made upon all parties' counsel, | | |
| 3 | by e-filing with the Court's e-filing system, duly noting that counsel is deemed to have | | |
| 4 | consented to be served in that manner, and upon all parties' counsel, the receiver and Mr. | | |
| 5 | Howells, in pro per, by email directed to each persons' last known email address, as shown. | | |
| 6 | Counsel for Defendant Thornton: | | |
| 7 | Nicholas M. Wieczorek Jeremy Thompson CLARK HILL, LLP nwieczorek@clarkhill.com | | |
| 8 | | | |
| 9 | jthompson@clarkhill.com | | |
| 10 | Receiver for Aecos, Ltd.: | | |
| 11 | Adam Derman <u>Aderman@csglaw.com</u> | | |
| 12 | Defendant Howells: | | |
| 13 | Brian Howells, in <i>pro per</i> | | |
| 14 | bhdandc@gmail.com | | |
| 15 | Dated: Friday, August 24, 2018. /s/ Candice Benson | | |
| 16 | An employee of Law Offices of Steven J. Parsons | | |
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STATUS REPORT

Pursuant to its Order dated August 22, 2018 ("DOC 83"), the Court gave the parties up through August 31, 2018, to file a Stipulation for Dismissal with Prejudice of the action.

The issues as between Plaintiff Donald Blackwelder and Defendant Charles Thornton have, for a period of several months, been settled and concluded. As indicated in counsel's prior status reports to the court ("DOCS 79 and 82"), Mr. Thornton has transferred consideration for the settlement between himself and Plaintiff Donald Blackwelder, provided compliance with other terms of the settlement agreement, and has been awaiting receipt of a Stipulation for Dismissal of the action as to him.

Moreover, claims in this action as between Mr. Blackwelder, Mr. Thornton and Co-Defendants AECOS, Limited, and Brian Howells have been settled, contingent only upon approval of the New Jersey Superior Court. A motion to approve the settlement has been filed, but the New Jersey Superior Court has <u>not</u> ruled on the motion. A copy of the motion is attached hereto and incorporated herein as Exhibit "1".

As previously reported to the court, New Jersey counsel understood that the New Jersey 15 Superior Court intended to rule on the pending motion to approve the settlement of the 16 remaining claims against AECOS by August 10, 2018. But as of the date of this status report, 17 no ruling has issued. The New Jersey Superior Court did enter a ruling that denied a motion 18 19 that counsel for Brian Howells, Leonard Neuhaus, and others, had filed, challenging the proposed settlement. A copy of the August 13, 2018 Ruling is attached hereto and 20 incorporated herein as Exhibit "2". This ruling certainly makes approval of the settlement more 2.1 likely. However, we unfortunately cannot give any assurances as to when the New Jersey 22 Superior Court will rule on the proposed settlement. But we do believe that a ruling is 2.3 imminent. 2.4

Because dismissal of this action may compromise the impending settlement with Defendant Aecos's receiver, Plaintiff Donald L. Blackwelder, individually, and derivatively on behalf of Thornton-Termohlen Group Corporation, hereby respectfully requests that the Court



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| 1 | modify its order contained within its most recent Order ("DOC 83"), and extend the time within |
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| 2 | which the parties must file a Stipulation for Dismissal of the action with Prejudice up through |
| 3 | and including October 31, 2018, to allow full resolution of all matters pertaining to this case. |
| 4 | While Plaintiff hopes that approval from the New Jersey Superior Court will come much |
| 5 | sooner, Plaintiff asks for sixty (60) additional days to increase the likelihood that Plaintiff will |
| 6 | not have to seek any further extension from the court. |
| 7 | Dated: Friday, August 24, 2018. |
| 8 | Law Offices of Steven J. Parsons |
| 9 | /s/ Steven J. Parsons STEVEN J. PARSONS |
| 10 | Nevada Bar No. 363 |
| 11 | Attorneys for Plaintiffs DONALD L. BLACKWELDER , individually and |
| 12 | derivatively on behalf of THORNTON-TERMOHLEN GROUP CORPORATION, a Nevada corporation |
| 13 | and of the transition of the t |
| 14 | |
| 15 | IT IS ORDERED that the parties shall have until October 24, 2018 to file a |
| 16 | stipulation to dismiss with prejudice. |
| 17 | Dated: August 27, 2018 |
| 18 | Jugar a. Leen |
| 19 | Peggy A. Zeen |
| 20 | United States Magistrate Judge |
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